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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MILLS, DONALD L

ART UNIT PAPER NUMBER

2616

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/775,346

Applicant(s)

YEMINI ET AL.

Examiner

Donald L. Mills

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-89 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Double Patenting*

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

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Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-89 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-40 of copending Application No. 09/775,347 in view of Bosack (US 5,088,032). More specifically, the independent claims of application 09/775,347 recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes and the type of service. Regarding the independent claims of application 09/775,346, the claims recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes, and a gateway which connects to a second network. Although the conflicting claims are not identical, they are not patentably distinct from each other because, for example, the application claim 1 of 09/775,347 specifies all of the limitations of application claim 1 of 09/775,346 except for the gateway node. Bosack (US 5,088,032) teaches storing a description of each data link between the gateway and destination gateway and routing data between the gateway and the destination gateways via links (See column 5, lines 17-19 and lines 28-60.) To incorporate the gateway nodes would have been obvious to one of ordinary skill in the art at the time of the invention in order to perform routing between heterogeneous networks as taught by Bosack (See column 2, lines 10-15.)

3. Claims 1-89 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-50 of copending Application No. 09/775,348 in view of Bosack (US 5,088,032). More specifically, the independent claims of

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application 09/775,348 recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes. Regarding the independent claims of application 09/775,346, the claims recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes, and a gateway which connects to a second network. Although the conflicting claims are not identical, they are not patentably distinct from each other because, for example, the application claim 1 of 09/775,348 specifies all of the limitations of application claim 1 of 09/775,346 except for a gateway node. Bosack (US 5,088,032) teaches storing a description of each data link between the gateway and destination gateway and routing data between the gateway and the destination gateways via links (See column 5, lines 17-19 and lines 28-60.) To incorporate the gateway nodes would have been obvious to one of ordinary skill in the art at the time of the invention in order to perform routing between heterogeneous networks as taught by Bosack (See column 2, lines 10-15.)

4. Claims 1-89 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 09/775,349 in view of Bosack (US 5,088,032). More specifically, the independent claims of application 09/775,349 recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes, and storing the routing information the two nodes. Regarding the independent claims of application 09/775,346, the claims recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes, and a gateway which connects to a second network. Although the conflicting claims are not identical, they are not patentably

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distinct from each other because, for example, the application claim 1 of 09/775,349 specifies all of the limitations of application claim 1 of 09/775,346 except for a gateway node. Bosack (US 5,088,032) teaches storing a description of each data link between the gateway and destination gateway and routing data between the gateway and the destination gateways via links (See column 5, lines 17-19 and lines 28-60.) To incorporate the gateway nodes would have been obvious to one of ordinary skill in the art at the time of the invention in order to perform routing between heterogeneous networks as taught by Bosack (See column 2, lines 10-15.)

5. Claims 1-89 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-44 of copending Application No. 09/775,350 in view of Bosack (US 5,088,032). More specifically, the independent claims of application 09/775,349 recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes. Regarding the independent claims of application 09/775,346, the claims recite a network comprising a multiple number of nodes where each node is assigned a coordinate label, which describes a path between two nodes, and a gateway which connects to a second network. Although the conflicting claims are not identical, they are not patentably distinct from each other because, for example, the application claim 1 of 09/775,350 specifies all of the limitations of application claim 1 of 09/775,346 except for a gateway node. Bosack (US 5,088,032) teaches storing a description of each data link between the gateway and destination gateway and routing data between the gateway and the destination gateways via links (See column 5, lines 17-19 and lines 28-60.) To incorporate the gateway nodes would have been obvious to one of ordinary skill in the art at the

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time of the invention in order to perform routing between heterogeneous networks as taught by Bosack (See column 2, lines 10-15.)

6. These are provisional obviousness-type double patenting rejections because the conflicting claims have not in fact been patented.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 21, the claims recite *each node is assigned a set of one or more coordinate labels, each representing a path comprising one or more links... and the path between a first node and a second, non adjacent node... comprising a link connecting a third node and the second node* (For example, see claim 1, lines 1-2 and 4-7.) If each node is assigned one “coordinate label” which represents a “path” comprising only one link, it would be impossible to establish a path between a first node and a second “non-adjacent node.” Because, the path would require at least two links, one link between the first and third nodes and a second link between the third and second nodes, identified in the coordinate label. Further explanation and clarification is requested.

***Claim Rejections - 35 USC § 103***

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochberger et al. (US 6,061,736), hereinafter referred to as Rochberger, in view of Bosack (US 5,088,032).

Regarding claims 1, 21, 36, 49, 63, and 76, Rochberger discloses a method and apparatus for routing over similar paths, which comprises:

*Each node is assigned a set of one or more coordinate labels, each representing a path comprising one or more links or other nodes* (Referring to Figures 1-2B, root node A is chosen as a root node then the links are examined to determine possible routing paths (coordinate label comprising links). See column 3, lines 41-50;)

*Each coordinate label is unique to the Node to which it is assigned* (Referring to Figures 1-2B, since routing paths (coordinate labels) are based upon a selected root node, the paths are individualized and unique. See column 3, lines 41-50;)

*A path between a first Node and a second, non-adjacent Node being determined by the first Node from one of the coordinate labels assigned to the first Node and one of the coordinate labels assigned to the second Node, the determined path comprising a Link connecting a third node and the second node* (Referring to Figures 1-2B, paths from root node A (first node) to tentative node F (second node) is considered using the already known routing paths (coordinate labels) and new links using the most optimal path through any intermediate nodes (third node) as specified by a default number of hops. See column 4, lines 25-28 and 56-62.)



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Rochberger does not disclose *the first Node as a gateway Node and the second Node as a destination Node; and data from a foreign network is received at said gateway Node and routed on said network to said destination Node.*

Bosack teaches a method and apparatus for routing communications among computer networks which comprises gateways and destination gateways (Referring to Figure 2.) Bosack also teaches gateways, which by definition interconnect two networks where one could be considered foreign, such as, a land microwave network and a home network, such as, a satellite network for routing data between the gateway and destination gateway (See column 3, lines 32-40.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the gateways of Bosack in the system of Rochberger. One of ordinary skill in the art at the time of the invention would have been motivated to do so in order to merge legacy networks with newer networks as computer networks get larger and larger as taught by Rochberger (See column 1, lines 22-25.)

Regarding claim 2, the primary reference further teaches *wherein said received data is routed to a closest Node of a plurality of mirror Nodes* (Referring to Figures 1-2B, paths from root node A to tentative node F is considered using the already known routing paths and new links using the most optimal path through any intermediate nodes (mirror nodes) as specified by a default number of hops. See column 4, lines 25-28 and 56-62.)

Regarding claim 3 as explained above in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

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Rochberger does not disclose *where said gateway Node translates said data from said foreign network into a local packet.*

Bosack teaches gateways, by definition translates data packets between foreign and local networks (Referring to Figure 2.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the gateways of Bosack in the system of Rochberger. One of ordinary skill in the art at the time of the invention would have been motivated to do so in order to merge legacy networks with newer networks as computer networks get larger and larger as taught by Rochberger (See column 1, lines 22-25.)

Regarding claim 4, the primary reference further teaches *where said local packet is a DART packet* (Referring to Figures 1-2B, the Examiner interprets packets received by the nodes as DART packets.)

Regarding claim 5 as explained in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

Rochberger does not disclose *where said local packet is an IP packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an IP packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

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Regarding claim 6 as explained in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

Rochberger does not disclose *where said local packet is an Appletalk packet*.

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Appletalk packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claim 7 as explained in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

Rochberger does not disclose *where said local packet is an Ethernet packet*.

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Ethernet packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claim 8 as explained in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

Rochberger does not disclose *where said local packet is a MPLS packet*.

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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement a MPLS packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claim 9 as explained in the rejection statement of claim 1, Rochberger and Bosack teach all of the claim limitations of claim 1 (parent claim).

Rochberger does not disclose *where said local packet is an ATM packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an ATM packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 10, 23, 29, 37, 43, 51, 53, 64, 70, 77, and 87, as explained above in the rejection statement of the parent claims, Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *the DART packet as wrapped in a foreign packet, and the gateway Node unwraps the DART packet from the foreign packet.*

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Rochberger teaches receiving packets, which the Examiner interprets as DART packets. Bosack teaches gateways, by definition translates data packets between foreign and local networks (Referring to Figure 2.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the gateways of Bosack in the system of Rochberger. One of ordinary skill in the art at the time of the invention would have been motivated to do so in order to merge legacy networks with newer networks as computer networks get larger and larger as taught by Rochberger (See column 1, lines 22-25.)

Regarding claims 11, 24, 30, 38, 52, 65, 71, 78, and 84 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *where said foreign packet is an IP packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an IP packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 12, 25, 31, 39, 53, 66, 72, 79, and 87 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *where said foreign packet is an Appletalk packet.*

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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Appletalk packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 13, 26, 32, 40, 54, 67, 73, and 80 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *where said foreign packet is an Ethernet packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Ethernet packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 14, 27, 33, 41, 55, 68, 74, 81, and 85 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *where said foreign packet is a MPLS packet.*

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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an MPLS packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claim 15, 28, 34, 42, 56, 69, 75, 82, and 86 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *where said foreign packet is an ATM packet*.

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an ATM packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 16, 44, and 58 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *wherein said data received from said foreign network is an IP packet*.

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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an IP packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 17, 45, and 59 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *wherein said data received from said foreign network is a MPLS packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement a MPLS packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 18, 46, and 60 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *wherein said data received from said foreign network is an ATM packet.*



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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an ATM packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 19, 47, and 61 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *wherein said data received from said foreign network is an Appletalk packet.*

Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Appletalk packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claims 20, 48, and 62 as explained in the rejection statement of the parent claims; Rochberger and Bosack teach all of the claim limitations of the parent claims.

Rochberger does not disclose *wherein said data received from said foreign network is an Ethernet packet.*

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Bosack teaches routing communications among network computers comprising gateways, which by definition interconnect two networks, such as, a land microwave network and a satellite network (See column 3, lines 32-40.)

It would have been obvious at the time the invention was made to implement an Ethernet packet based network in the systems of Bosack and Rochberger. One of ordinary skill in the art would have been motivated to do so in order to conform to such a well-known standard.

Regarding claim 22 as explained above in the rejection statement of claim 21, Rochberger and Bosack teach all of the claim limitations of claim 21 (parent claim).

Rochberger does not disclose *where said gateway Node translates said data into a foreign packet.*

Bosack teaches gateways, which by definition interconnect two networks where one could be considered foreign, such as, a land microwave network and a home network, such as, a satellite network for routing data between the gateway and destination (See column 3, lines 32-40.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the gateways of Bosack in the system of Rochberger. One of ordinary skill in the art at the time of the invention would have been motivated to do so in order to merge legacy networks with newer networks as computer networks get larger and larger as taught by Rochberger (See column 1, lines 22-25.)

Regarding claims 35, 50, and 89, as explained above in the rejection statement of the parent claims, Rochberger and Bosack teach all of the claim limitations of the parent claims.

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Rochberger does not disclose *where said transmission from said gateway Node into said foreign network is performed by a Link Label replacement.*

Bosack teaches a gateway initialized, which includes a description (coordinate label) of each data link that is different for each gateway (See column 3, lines 66-67 and column 4, lines 3-9.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the gateways of Bosack in the system of Rochberger. One of ordinary skill in the art at the time of the invention would have been motivated to do so in order to merge legacy networks with newer networks as computer networks get larger and larger as taught by Rochberger (See column 1, lines 22-25.)

#### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1-89 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Remarks***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Oberlin et al. (US 5,784,706) Defined virtual addresses for processing elements with routing tags (Specifically, see column 12, lines 25-31.)
- b. Walsh, Robert J., "DART: Fast Application-Level Networking via Data-Copy Avoidance." IEEE Network, July/August 1997. pp 28-38.

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***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Mills whose telephone number is 571-272-3094. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Donald L Mills

*Dem*

May 23, 2006

*Seema S. Rao*  
SEEMA S. RAO 5/29/06  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600